

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

METROPOLITAN LIFE INSURANCE
COMPANY,

Plaintiff,

CASE NO. 10-12081

v.

PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

KIMBERLY JOHNSON, NERVILLE
COX, LaSHARON COX, STACY
COX, DARRYL JONES, and
BRANDY MAXWELL,

MARK A. RANDON
UNITED STATES MAGISTRATE JUDGE

Defendants.

**ORDER (1) ADOPTING MAGISTRATE JUDGE RANDON'S ORDER OF
SETTLEMENT, AND (2) DISMISSING THE CASE**

Plaintiff Metropolitan Life Insurance Company is the fiduciary to a General Motors Life and Disability Benefits Program for Hourly Employees (the "Plan") administered on behalf of Paul Lawrence Lewis (the "Decedent"). After funeral and other expenses were paid under the terms of the Plan, benefits in the amount of \$14,750 remained payable to Decedent's beneficiaries. (Compl. ¶ 30). Defendants Kimberly Johnson, Nerville Cox, LaSharon Cox, Stacy Cox, Darryl Jones, and Brandy Maxwell, have all claimed that they are entitled to the remaining benefits.

On May 24, 2010, Plaintiff Metropolitan Life Insurance Company filed a Complaint in Interpleader with this Court (Dkt. No. 1), requesting that the Court determine to whom the remaining benefits are payable.

On February 9, 2011, Magistrate Judge Randon entered an Order of Conditional

Settlement and Opportunity to File Objections (Dkt. No. 18). Magistrate Judge Randon's Order stated:

IT IS ORDERED that this conditional settlement shall become final unless any of the parties, whose names and addresses appear below in the proof of service, file an objection in writing . . . to be received on or before FRIDAY, FEBRUARY 25, 2011.

(Order at 2). None of the Defendants objected. Accordingly, the Order of Conditional Settlement has become a final order.

For the reasons stated above, **IT IS ORDERED** that the parties are entitled to the \$14,750 in insurance proceeds as follows:

\$10,150.00 to Brandi (Maxwell) Rolston

\$ 2,500.00 to Darryl Jones

\$ 700.00 to LaSharon Cox

\$ 700.00 to Stacy Cox

\$ 700.00 to Neville Cox

This is a final order and closes the case.

SO ORDERED.

S/Paul D. Borman

PAUL D. BORMAN

UNITED STATES DISTRICT JUDGE

Dated: March 1, 2011

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on March 1, 2011.

S/Denise Goodine
Case Manager